

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Architectural Plans prepared by NettletonTribe		
Site Plan	08/02/2019	DA001 Rev 4
Site Analysis Plan	08/02/2019	DA002 Rev 4
Demolition Plan - Ground	08/02/2019	DA009 Rev 2
Basement 1 Floor Plan	26/06/2019	DA010 Rev 10
Ground Floor Plan	26/06/2019	DA011 Rev 8
Level 1 Floor Plan	26/06/2019	DA012 Rev 7
Level 2 Floor Plan	26/06/2019	DA013 Rev 7
Level 3 Floor Plan	26/06/2019	DA014 Rev 7
Level 4 Floor Plan	26/06/2019	DA015 Rev 7
Roof Plan	26/06/2019	DA016 Rev 8
Elevations & External Finishes - Sheet 1	26/06/2019	DA020 Rev 8
Elevations & External Finishes - Sheet 2	26/06/2019	DA021 Rev 8
Building Sections - Sheet 1	26/06/2019	DA030 Rev 8
Building Sections - Sheet 2	26/06/2019	DA031 Rev 7
Perspective - Sheet 1	26/06/2019	DA050 Rev 7
Perspective - Sheet 2	26/06/2019	DA051 Rev 7
Signage Elevations - Sheet 1	26/06/2019	DA060 Rev 4
Signage Elevations - Sheet 2	26/06/2019	DA061 Rev 3
Exterior Finish Materials Board	-	-
Civil Engineering Plans prepared by Northrop		
Specification Notes	16/11/2018	DAC01.11 Rev 1
Sediment and Soil Erosion Control Details	16/11/2018	DAC02.01 Rev 1
Concept Sediment and Soil Erosion Control Plan	16/11/2018	DAC02.11 Rev 1
Stormwater Management Plan	16/11/2018	DAC03.01 Rev 1
Catchment Plan	16/11/2018	DAC06.01 Rev 1
Details	16/11/2018	DAC09.01 Rev 1
Geotechnical Plans prepared by Douglas Partners		
Environmental Control Map for Geotechnical Drilling	28/01/2016	1 Rev 0
Technical Reports		
Higgins Planning: Statement of Environmental Effects	07/2019	2018.0048A
Harris Crime Prevention Services: Crime Prevention Through Environmental Design (CPTED)	25/02/2019	
iAccess Consultants: Access Report	08/02/2019	IAC1039
iAccess Consultants: Design Statement	08/02/2019	IAC1039
Waste Audit: Operational, Construction and Demolition Waste Management Plan	02/2019	
Core Engineering Group: Fire Engineering Report	23/01/2019	Ref F200994_FER_02
Northrop: Acoustic Report	20/02/2019	Ref SY182172-AUR01

		Rev D
Northrop: Stormwater Management Report	29/01/2018	Ref 182172 Rev A
Northrop: Energy Efficiency Performance	01/02/2019	Ref SY182172-SER01 Rev A
Northrop: Electrical Services Statement Design Intent	13/02/2019	SY182172-ESOC-1
Northrop: Mechanical Services Statement of Compliance	18/02/2019	SY182172-MSOC-1
Douglas Partners: Preliminary Site (Contamination) Investigation	10/2018	86194.02
Douglas Partners: Geotechnical Assessment	11/2017	86194.00

The Development must be carried out in accordance with the plans and recommendations of reports approved under this condition unless otherwise amended by conditions in this consent.

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
5. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is "exempt development".
6. **Security Grilles.** This consent does not authorise the erection of any security grilles or barriers on the entrance. Separate approval must be obtained for any such works.
7. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
8. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.

- (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
9. **Illumination of public place.** Any public place affected by construction works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
 10. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
 11. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
 12. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
 13. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
 14. **Public Utilities and Service Alterations.** All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.
 15. **Public areas and restoration works.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 *Public Civil Works*, to the satisfaction of Council
 16. **Plumbing and Drainage Work.** All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.

DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

17. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
 - (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
18. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
19. **Excavation**
 - (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
 - (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.
20. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
21. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

22. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
23. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the Construction Certificate.
24. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the Construction Certificate:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
25. **Amendments to the eastern and western elevations.** Prior to the issue of a Construction Certificate, amended plans are to be submitted and approved by the Manager Development Assessment providing some form of temporary expression/articulation (e.g. painting etc.) on the eastern and western elevations until adjoining sites are redeveloped.
26. **Awning.** Prior to the issue of a Construction Certificate, amended plans are to be submitted to the Manager Development Assessment for approval for the proposed awning over the public domain to Rowe Street demonstrating:
 - Sufficient clearances are maintained from the existing power pole located in front of the site. The drawings are to demonstrate satisfactory clearances are achieved, and are to be endorsed by the electricity supply authority for the area.
 - Ensure appropriate cut-outs of 1m wide by 1m deep are provided within the awning to accommodate any street trees to be determined by Council's Landscape Architect.
27. **Access Report.** Prior to the issue of a Construction Certificate, an amended access report shall be submitted and approved by the Certifying Authority demonstrating the proposal achieves compliance with the relevant Australian Standards and BCA standard for access for persons with a disability.
28. **CPTED report.** Prior to the issue of a Construction Certificate, amended plans shall be submitted to the Certifying Authority demonstrating the following have been achieved:
 - That all fire hydrants, pumps and metres be secured in locked cabinets to prevent unauthorised access.
 - In order to increase overall lux levels and illuminance throughout levels 1 to 5, design detail should consider painting ceilings, wall areas and columns white. Rooftop parking should feature pole lighting with beam angle spreads eliminating dark spaces. Throughout the car park, the lighting colour

temperature should be set at 4000 Kelvin, the most appropriate colour for identification.

- The Rowe Street façade feature creative external lighting ‘wash’ to enhance its ‘status’ within the streetscape. Appropriate flood lighting should be installed to highlight the Rowe Lane fire exit.
- To minimise malicious damage risks, we recommend that anti-graffiti coatings be applied to all wall and façade painting areas;
- The CCTV (IP Network) installations ensure an ‘all points’ coverage of levels, focusing on disabled parking pays, lift lobbies, stairwell and their doorways, plant rooms, bicycle and motor bike parking bays, ramp areas, the main vehicle/pedestrian entrance and rear stairway egress to the lane.
- In preventing (restricting) vehicle access to upper levels at designated times, installation of perforated roller doors, as opposed to boom gates. The design detail prevent pedestrian access to upper levels when ‘locked off’.
- That all fire stair doors have eye level glass panels installed to assist with identification of levels and persons accessing the stairs.
- The monitorable ‘help points’ be installed at each level adjacent to the lift lobbies, at bicycle, motor bike and disabled parking zones.

29. **Acoustical treatments.** Prior to the issue of a Construction Certificate, plans shall be submitted to the Certifying Authority demonstrating all acoustical treatments recommended in the acoustical assessment report (Northrop Consulting Engineers (Ref. SY182172-AUR01, dated. 20/2/2019).

30. **Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels by Council prior to the issue of the Construction Certificate.

31. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the Construction Certificate.

32. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of Council’s DCP. Details are to be noted on the plans submitted with the Construction Certificate.

33. **Pre-Construction Dilapidation Report.** The submission of a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining private properties namely 73 Rowe Street and 49-51 Rowe Street is required. Further, to ensure Council’s infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.

- (a) Road pavement,
- (b) Kerb and gutter,

- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to the issue of a Construction Certificate. Further, a copy of the report must be provided to other owners of public infrastructure and the owners of the affected adjoining private properties, prior to the commencement of construction.

All fees and charges associated with the review of this report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time that the Dilapidation Report is submitted.

34. **Sydney Water Tap in™.** The approved plans must be submitted to the Sydney Water Tap in™ on-line service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Sydney Water Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, eg relocating or moving an asset.

Sydney Water's [Tap in™](https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm) online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

35. **Reflectivity of materials.** All external materials on the façade must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
36. **Detailed Site Investigation Report.** Prior to the issue of a Construction Certificate, the applicant must undertake a detailed site investigation. The detailed site investigation report must comply the recommendations of the Preliminary Site (Contamination) Investigation report prepared by Douglas Partners dated October 2018 and with the Guideline for Consultants Reporting on Contaminated Sites (EPA, 1997) and demonstrate that the site is suitable for the proposed use, or that site can be remediated to the extent necessary for the proposed use.

If remediation is required, the report should also set out the remediation options available for the site and whether the work is considered to be category 1 or category 2 remediation work.

37. **Council may require site audit of detailed investigation report.** If requested by Council, the proponent must submit a site audit statement and a site audit summary report from an accredited site auditor under the Contaminated Land Management Act 1997, verifying the information contained in the detailed site investigation report.
38. **Remediation of land following detailed site investigation.** If required by the detailed site investigation report, the land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply with the Guidelines for Consultants Reporting on Contaminated Sites (EPA, 1997) and demonstrate that the site is suitable for the proposed use.
- No Construction Certificate is to be issued for any building work on the land until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation.
39. **Notice of remediation work.** Before commencing remediation work written notice must be submitted to Council in accordance with clause 16 of State Environmental Planning Policy No. 55 - Remediation of Land.
40. **Remediation work** - All remediation work must be carried out in accordance with the requirements of:
- (a) *State Environmental Planning Policy No. 55 - Remediation of Land*;
 - (b) any relevant guidelines published by the NSW Environment Protection Authority; and
 - (c) any council policy or development control plan relating to the remediation of land.
41. **Council may require site audit of validation report.** If requested by Council, a site audit statement and a site audit summary report from an accredited site auditor under the Contaminated Land Management Act 1997 must be submitted to Council verifying the information contained in the site validation report.
42. **Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Off street Parking standards).

With respect to this, the following revision(s) must be undertaken;

- (a) To facilitate vehicle entry movements and bring the design more in compliance with Section 3.2 of AS 2890.1, the median at the vehicle entry to the facility from Rowe Street shall be setback some 2.5m from the Rowe Street boundary alignment. This is to effectively present a 6m wide entry to the facility at the street frontage.
- (b) The vehicle exit to Rowe Lane must be widened to no less than 4m wide so as to facilitate vehicle movements from the parking area into Rowe Lane.

These amendment(s) must be clearly marked on the plans submitted to the Accredited Certifier prior to the issue of a Construction Certificate.

43. **Vehicle Access.** Rowe Street Car Park driveway must be designed for safe forward in and forward out access using AS 2890.1:2004 (Off-street car parking). Plans showing the swept path diagrams of B85/B99 vehicles entering and exiting the car park in a forward direction shall be submitted to and approved by Council prior to issue of any Construction Certificate.
44. **Driveway Access and Boundary Alignment Levels.** The applicant shall apply to Council for site specific driveway access and boundary alignment levels prior to the issue of any Construction Certificate. The application shall be accompanied by preliminary engineering plans of civil works along the frontage of the development site. The Council issued levels shall be incorporated into the detail design plans for the public domain improvements and infrastructure works, and the design of the internal driveway, car parking areas, landscaping and stormwater drainage plans. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.
45. **Construction Pedestrian and Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to issue of any Construction Certificate.

All fees and charges associated with the review of this plan is to be in accordance with Council's Schedule of Fees and Charges and are to be paid at the time that the CPTMP is submitted.

The CPTMP must:

- (a) Consider traffic and car parking management as a result of the loss of forty nine (49) free car spaces during the construction of the new car park.
- (b) Make provision for all construction materials to be stored on site, at all times.
- (c) Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- (d) Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- (e) Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- (f) Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- (g) Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- (h) Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts

and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.

- (i) Specify spoil management process and facilities to be used on site.
- (j) Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- (k) Comply with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”, Council’s DCP 2014 Part 8.1 (Construction Activities) and Council’s CTMP checklist. A copy of Council’s CPTMP checklist shall be obtained from Council’s Traffic, Transport and Development Department prior to submission of CPTMP.

Note: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CPTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent to the site.

46. **Public domain improvements.** The public domain is to be upgraded at the Rowe Street frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 3 – Eastwood and the revised technical standards as advised by Council’s City Works Directorate. The works shall include paving, street furniture and plantings, and must be completed to Council’s satisfaction at no cost to Council.

A public domain plan for the following works shall be submitted to, and approved by Council’s City Works Directorate, prior to the issue of the Construction Certificate.

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Eastwood Street Tree Master Plan. The designated species are “Acer negundo” (Box Elder) for Rowe Street frontage of the development. The Rowe Street Public Domain Plan on Page 18 recommends deciduous Chinese Poplar tree and Gum tree planting at the mid-point of Rowe Street east. The exact position and specifications for the new trees is to be advised by Landscape Architect – Development Assessment.

Note: In designing the street tree layout, the consultant shall check and ensure that all new street trees are positioned such that there are no conflicts with the proposed street lights, utilities and driveway accesses. The proposed street lights will have priority over the street trees. All costs associated with the removal of existing street trees, where required, will be borne by the Developer.

- (c) All telecommunication and utility services are to be placed underground along the Rowe Street and Rowe Lane frontages. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.

- (d) New under awning street lighting shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with a minimum pedestrian luminance category P2 along the Rowe Street frontage.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council's City Works Directorate.

All telecommunication and utility services are to be placed underground along the Rowe Street and Rowe Lane frontages. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.

- (d) New under awning street lighting shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with a minimum pedestrian luminance category P2 along the Rowe Street frontage.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council's City Works Directorate.

47. **Public Infrastructure Works.** Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate prior to the issue of the Construction Certificate. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, and DCP 2014 Part 8.2 - *Stormwater Management*, where applicable.

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, existing and proposed signage and line-marking, and other relevant details for the new works. The drawings shall also demonstrate the smooth connection of the proposed road works into the remaining street scape.

The Applicant must submit, for approval by Council as the Road Authority, full design engineering plans and specifications for the following infrastructure works:

- (a) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- (b) The construction of new kerb and gutter along the Rowe Street frontage of the development site.
- (c) The construction of new V-drain along the Rowe Lane frontage of the development site.
- (d) Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Rowe Street.
- (e) Construction of granite footway along the Rowe Street frontage of the development site in accordance with the City of Ryde Public Domain Technical

Manual Section 3 – Eastwood and **the revised technical standards** as advised by Council's City Works Directorate.

- (f) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (g) Signage and line marking details.
- (h) Staging of the public civil works, if any, and transitions between the stages.
- (i) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

Notes:

- 1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed building.
- 2. Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
- 3. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, Section 5 "*Standards Enforcement*". A checklist has also been prepared to provide guidance, and is available upon request to Council's City Works Directorate.
- 4. City of Ryde standard drawings for public domain infrastructure assets are available on the Council website. Details that are relevant may be replicated in the public domain design submissions; however Council's title block shall not be replicated.

48. **Public Domain Works – Defects Security Bond.** To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of \$20,000 shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

49. **Engineering plans assessment and works inspection fees.** The applicant is to pay to Council fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council.

Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the public domain works.

50. **Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered

subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:

- (a) Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.
- (b) the payment of all fees in accordance with Council's Schedule of Fees & Charges at the time of the application, and
- (c) the provision of a copy of the Public Liability insurance cover of not less than \$20million with Council's interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors.

- 51. **Reinstatement of Australia Post Box.** The existing Australia post box along the Rowe Street frontage of the development site shall be relocated to a Council approved temporary location prior to commencement of the public domain improvement works. The Australia Post Box shall be reinstated in its final location in accordance with the requirements of Australia Post and City of Ryde Council.
- 52. **Reinstatement of Telstra Telephone Booth.** The existing Telstra telephone booth along the Rowe Street frontage of the development site shall be relocated to a Council approved temporary location prior to commencement of the public domain improvement works. The Telstra telephone booth shall be reinstated in its final location in accordance with the requirements of Telstra and City of Ryde Council.
- 53. **Vehicle Footpath Crossings.** To protect the footpath from damage resulting from the vehicular traffic, the footpath crossing/s shall be designed and constructed in accordance with the City of Ryde Development Control Plan 2014 Part 8.3 Driveways and Part 8.5 - Public Civil Works, and all relevant Australian Codes and Standards (AS2890.1). The crossings shall match the paving style along the frontages of the development site.

The applicant shall provide Council with certification from a Chartered Civil Engineer (registered on the NER of Engineers Australia) confirming that the vehicle footpath crossing and driveway design meet Council requirements and the relevant standards, prior to the issue of the Construction Certificate.

- 54. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to Rowe Lane and Rowe Street, generally in accordance with the plans by Northrop Consulting Engineers (Refer to Project No. 182172 Dwgs DAC01.11 to DAC09.01 Rev 1 dated 16 November 2018) subject to any variations marked in red on the approved plans and/or noted following;
 - The plans are to be updated so as to be consistent with the approved architectural plans.
 - Stormwater runoff from the roof area must be contained with a bunded lip of 150mm in height around the perimeter, so as to ensure any ponding water is directed to the developments drainage system and does not overflow into the public domain.

- The discharge lines from the development site to the kerb are to be amended to 200 x 75 x 6mm RHS to ensure that the integrity of the footpath and kerb is maintained.

The detailed plans, documentation and certification of the drainage system must be submitted with the application for a Construction Certificate and prepared by a chartered civil engineer and comply with the following;

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

55. Site Sign

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

56. Excavation adjacent to adjoining land

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

57. Safety fencing. The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

58. **Notice of Intention to Commence Public Domain Works.** Prior to commencement of the public domain works, a *Notice of Intention to Commence Public Domain Works* shall be submitted to Council's City Works Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.

Note: Copies of a number of documents are required to be lodged with the Notice; no fee is chargeable for the lodgement of the Notice.

59. **Notification of adjoining owners & occupiers – public domain works.** The Applicant shall provide the adjoining owners and occupiers written notice of the proposed public domain works a minimum two weeks prior to commencement of construction. The notice is to include a contact name and number should they have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.
60. **Road Activity Permits** - To carry out work in, on or over a public road, the Consent of Council is required as per the *Roads Act 1993*. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Council's website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Public Domain Works*.
- (a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
 - (b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane.
 - (c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
 - (d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.

- (e) **Crane Airspace Permit** - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- (f) **Hoarding Permit** - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- (g) **Skip Bin on Nature Strip** - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

- 61. **Temporary Footpath Crossing** - A temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.
- 62. **Pre-construction inspection.** A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

- 63. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 2009 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities.
- 64. **Implementation of Construction Pedestrian and Traffic Management Plan.** All works and construction activities are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP). All controls in the CPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CPTMP be impacted by

surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

65. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
66. **Discovery of Additional Information.** Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
67. **Contaminated soil.** All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the Waste Classification Guidelines (DECCW, 2009) before being transported from the site.
68. **Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
69. **Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
70. **Acoustical treatments.** All acoustical treatments nominated in the acoustical assessment report (Northrop Consulting Engineers (Ref. SY182172-AUR01, dated. 20/2/2019) and any related project documentation must be implemented during construction.
71. **Construction noise.** The L₁₀ noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
72. **Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
73. **Sediment/dust control.** The applicant shall install erosion and sediment control measures at the commencement of works on the site. Suitable erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the above referenced document. No sediment, dust, soil or similar material shall leave the site during construction work.

74. **Construction materials.** All materials associated with construction must be retained within the site.
75. **Site Facilities**
The following facilities must be provided on the site:
- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
76. **Site maintenance**
The applicant must ensure that:
- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
 - (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - (c) the site is clear of waste and debris at the completion of the works.
77. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
78. **Hold Points during construction - Public Domain.** Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.
- (a) The Applicant shall submit to Council's City Works Directorate, certification from the Engineer, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.
 - (b) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
 - (c) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
 - (d) Upon compaction of the applicable sub-base course.
 - (e) Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course).
 - (f) Upon installation of any formwork and reinforcement for footpath concrete works.
 - (g) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.
79. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Northrop Consulting Engineers (Refer to Project No. 182172 Dwgs DAC01.11 to DAC09.01 Rev 1 dated 16 November 2018) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

80. **Traffic.** Prior to the issue of an Occupation Certificate, all recommendations of the traffic report prepared by Thompson Stanbury and Associates report no 18-012 shall be implemented including any required off-site traffic phasing works with the approval of Council.

81. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the Fire and Rescue NSW.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Each year the Owners must send to the Council and the Fire and Rescue NSW an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

82. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of any **Occupation Certificate**.

83. **Post-Construction Dilapidation Report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.

- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,

- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of any Occupation Certificate. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate. The report shall be used by Council to compare with the pre-construction dilapidation report, and to assess whether restoration works will be required prior to the issue of the Occupation Certificate.

All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges, and shall be paid at the time that the Dilapidation Report is submitted.

84. **Plan of Management.** A detailed Plan of Management must be prepared to address all operational and management procedures to be employed, to ensure that the public car park can operate without disturbance to the surrounding locality.

The plan must include the following requirements:

- A minimum of 2 hours free car parking shall be provided to the general public for use of the car park
- The car park shall be accessible to the general public 24 hours 7 days a week. However, use of the upper third and fourth level is to be restricted to 6:00am to 8:00pm (Sunday to Saturday). No access for the general public is to be allowed outside of these hours for safety and security, and to protect the amenity of nearby residents.
- No boom gates are to be installed at the entry to the car park. Parking management options are to include vehicle number plate recognition systems without boom gates at the entry point or pay and display parking.

The Plan of Management is to include compliance with all other operational conditions of this consent including but not restricted to noise, waste and security management.

85. **Signage and Linemarking – External.** A plan demonstrating the proposed signage and line marking and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM measures within Council's Public Domain shall be prepared by a suitably qualified person and submitted to and approved by the Ryde Traffic Committee prior to the issue of any Occupation Certificate.

Note: The applicant is advised that the plan will require approval by the Ryde Traffic Committee if the proposal requires change in existing parking conditions and hence, adequate time should be allowed for this process.

86. **Signage and Linemarking – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by the Ryde Traffic Committee. These works are to be undertaken prior to the issue of any Occupation Certificate.

87. **Public Domain Improvements and Infrastructure Works – Completion.** All public domain improvements and infrastructure works shall be completed to Council's satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any Occupation Certificate.
88. **Restoration – Supervising Engineer's Certificate.** Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP2014 Part 8.5 *Public Civil Works*, or the Roads and Maritime Services' standards and specifications, where applicable.
89. **Compliance Certificate – External Landscaping Works.** Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
90. **Decommissioning of Ground Anchors.** Prior to the issue of any Occupation Certificate, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.
91. **Public Domain Works-as-Executed Plans.** To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.

In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.

92. **Supervising Engineer Final Certificate.** Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.
93. **Final Inspection – Assets Handover.** For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant

prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time. A minimum 48 hours' notice will be required when booking for the final inspection.

94. **Compliance Certificate.** External Works and Public Infrastructure Restoration. Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have been dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.
95. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
- (a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
 - (b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - (c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - (d) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual *"Managing Urban Stormwater: Soils and Construction"* by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
 - (e) In the event that Council will not take ownership of the facility on completion, a compliance certificate from Council is required confirming that all external works in the public road reserve have been completed to Council's satisfaction.
96. **Acoustical treatment compliance report** - A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria including all acoustical treatments nominated in the acoustical assessment report (Northrop Consulting Engineers (Ref. SY182172-AUR01, dated. 20/2/2019) and any related project documentation must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate.

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

97. **Offensive noise.** The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
98. **Waste storage/disposal – method.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
99. **Waste storage/disposal – containers.** An adequate number of suitable waste containers must be kept on the premises for the storage of garbage.
100. **Waste storage/disposal – recycling.** Wastes for recycling should be stored in separate bins or containers and transported to a facility where the wastes will be recycled or re-used.
101. **Signage – illumination.** Illuminated signs shall be fitted with a timing device to switch off the illumination between 11pm and 7am.
102. **Rooftop Structures.** No structures including light poles (beyond those shown on plans) are permitted with the rooftop level.
103. **Plant and Equipment Noise** - The operation of any plant or machinery installed on the premises must not cause:
 - (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at the most affected noise sensitive location in the vicinity. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics- Recommended design sound levels and reverberation times for building interiors*.
 - (c) The transmission of vibration to any place of different occupancy.
104. **Air pollution.** The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.